

Lambda Letters Project

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May Legislative Update

Each bill introduced in the state legislature must be reviewed by a policy committee in each house before the full Assembly and Senate can vote on them. The Assembly Health Committee is one example of a policy committee. Their job is to decide if the bill makes sense from a policy standpoint. Any bill expected to cost the state or local governments \$150,000 or more per year must also be voted on by the Appropriations Committee of each house before the full house can vote on it. A bill costing that much is called a "fiscal bill."

There are deadlines for getting through the policy committees. All fiscal bills must be approved by the policy committee of the house in which they were introduced by no later than April 29. Nonfiscal bills must be approved by the policy committee of the house in which they were introduced by no later than May 6. All fiscal bills must be approved by the Appropriations Committee in the bill's house of origin no later than May 27. Finally, all bills must be approved by their house of origin no later than June 3.

The purpose of these deadlines is to ensure that bills move forward so they can be passed before the legislature closes for the year. Any bill missing these deadlines dies. No further action is permitted on the bill unless

its author gets a waiver of the rules. One exception to this are so-called "two year bills." These are bills on which the bill's author decides to give up on the bill until next year. In those cases, there is a brief period in 2006 when those bills may be acted upon in their house of origin.

Here is a list of the bills we are tracking at this time.

HIV/AIDS Issues

AB 73 (Dario Frommer, D-Los Angeles)

Purpose: To establish the California Rx Prescription Drug Web Site Program, which would provide information to California residents about options for obtaining prescription drugs at affordable prices. This bill would require the Web site, at a minimum, to provide information about—and establish electronic links to—certain federal, state, and pharmaceutical programs, and pharmacies that are located in Canada, the United Kingdom, and Ireland that meet specified requirements.

Status: Referred first to the Assembly Health Committee and then to the Assembly Business and Professions Committee. Approved by the Assembly Health Committee and sent to the Assembly Business and Professions Committee for a vote on April 26.

LLP Position: Support.

AB 95 (Paul Koretz, D-West Hollywood)

Purpose: To require manufacturers of drugs for life-threatening chronic conditions that are on the list for Medi-Cal or the AIDS Drugs Assistance Program to pay the state a rebate equal to the costs of marketing that drug. The bill also would require these manufacturers to disclose to the state

all costs incurred in the marketing of the drugs to consumers and physicians.

Status: Approved by the Assembly Health Committee and sent to the Assembly Appropriations Committee for a vote on May 4. No hearing date set yet.

LLP Position: Support.

AB 228 (Paul Koretz, D-West Hollywood)

Purpose: To prohibit a healthcare service plan and a health insurer from denying coverage for the costs of organ or tissue transplantation services on the basis that the enrollee, subscriber, insured, or policyholder is infected with HIV.

Status: Referred to the Assembly Health Committee for a vote on April 19.

LLP Position: Support.

AB 349 (Dennis Mountjoy, R-Monrovia)

Purpose: To prohibit certain sexual instruction or counseling of pupils in kindergarten and grades 1 to 6, inclusive; and to require a school district to provide notice and obtain the written approval from parents or guardians in order to provide this instruction or counseling to pupils in grades 7 to 12.

Status: Failed in the Assembly Education Committee. Will get a second vote in the committee on April 20.

LLP Position: Oppose.

AB 547 (Patty Berg, D-Eureka)

Purpose: To allow local governments to establish and maintain clean needle and syringe exchange programs without having to declare a health state of emergency every two weeks.

Status: Approved by the Assembly Appropriations Committee. Awaiting a final vote on the Assembly floor.

LLP Position: Support.

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Lambda Letters Progress Report

Letters and Messages Collected

March, 2005	12,398 letters & e-mails
In all of 2005	63,766 letters & e-mails

Dollars Spent

March, 2005	\$3,581
In all of 2005	\$14,858

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Our Mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; and women. We do this by urging elected officials to enact and support legislation that accomplishes this goal.

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Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave? If so, you may register a complaint with the Department of Fair Employment and Housing.

In cases of employment discrimination, call the department at (800) 884-1684.

In cases of housing discrimination, call (800) 233-3212. The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

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Prohibit the Use of Children as Interpreters


By Marty Martinez, Legislative Analyst

A child should not be the first person to learn about a parent's serious or terminal illness. A child should not be privy to a parent's confidential medical information. A child should not be the first person to tell a parent what a doctor says about a medical condition or giving complex choices or instructions on a treatment modality or medication.

Fifty-three percent of California's population is from communities of color, of whom large numbers speak limited or no English. Healthcare providers often use untrained family members and friends to meet their significant language needs. Often the interpreter is a minor. Family dynamics can be severely disrupted when a child must convey a doctor's expertise in diagnosing a condition or admonishing a parent for an unhealthy lifestyle. A child should not bear the heavy burden of accurately and completely communicating the exchange of medical information to a parent.

A child is not likely to be able to recognize ethical issues, and is not able to recognize cultural misunderstandings from differing cultural assumptions and expectations of providers and patients. A child would not know healthcare terminology, and may lack the ability to interpret accurately and completely. Additionally, a parent might withhold relevant sensitive medical information (such as a mother's history of miscarriages) from her child—and, as a result, from her doctor.

AB 775, introduced by Assemblymember Leland Yee (D—San Francisco), would prohibit any state or local government agency, or state-funded agency or organization, from using any child, or permitting any child to be used, as an interpreter in any hospital, clinic, or physician's office for diagnosis and treatment. Such agencies must have an established procedure for providing competent interpretation services that does not involve children in this manner.

Please support this important bill by sending a letter of support to the Assembly Appropriations Committee. 

Support Marriage Equality

By Shirin Buckman, Legislative Analyst

AB 19, the Religious Freedom and Civil Marriage Protection Act, would end California's discriminatory practice of denying marriage licenses to same-sex couples. However, the bill also makes it clear—and even reinforces the principle—that religious institutions will retain the freedom to decide whether or not to perform same-sex marriages.

As of our newsletter deadline in mid-April, we expect AB 19 to pass in the Assembly Judiciary Committee. If so, it will be voted on in the Assembly Appropriations Committee in late May. Please urge the Appropriations Committee to approve this bill.

Current California law violates the principles of equality, privacy, and freedom from discrimination. AB 19 addresses these inequalities by ensuring that same-sex couples have the same marriage benefits and duties that heterosexual couples now have under state law. These rights and duties help people in California provide stability and support to their spouses and children.

AB 19 provides same-sex couples equal status with heterosexual couples. Gay and lesbian individuals currently serve as vital members of the community as firefighters, teachers, police, elected officials, etc. Because they contribute to society, they should have the same rights and responsibilities afforded to heterosexuals.

Second, maintaining the status quo by simply strengthening domestic partnership laws substantiates the separate-but-equal doctrine. Domestic partnerships in California grant a couple a limited number of state rights and responsibilities. Accepting the status quo (state recognition of domestic partnerships) means that same-sex couples will have limited legal tools with which to take on the responsibilities of providing for their families in times of need. AB 19 will amend California's marriage laws to finally put an end to the inferior, separate-but-questionably-equal status of same-sex families. It also would provide a basis for legal challenges to the federal government's refusal to provide federal benefits to same-sex couples.

Keep Children from Domestic Violence Harm

By Kathleen Watanabe, Legislative Analyst

The battering of women remains at epidemic levels today in the United States. It is currently estimated that between two and four million women are physically battered annually by their male partners. At least 25 to 30 percent of all American women are at risk of experiencing domestic violence during their lifetime.

There is certainly also heightened awareness of the prevalence of child abuse. This awareness has led to laws, particularly in California, created both to protect women and children as well as to punish the perpetrators of violence. However, there is one factor that is often unnoticed: the effect that violence against women has on the children who witness it.

Domestic violence affects every member of the family, including the children. Statistics show that an estimated 3.3 million children witness violence in their homes each year. Those who see and hear violence in the home suffer physically and emotionally. Like their mothers, children of battered women live in an atmosphere of fear and insecurity. Woman battering and child abuse are intricately connected. A survey of American families found that 50 percent of men who assault their wives also abuse their children.

Children living with domestic violence suffer poor health, low self-esteem, poor impulse control, academic and behavior problems, aggression, withdrawal, sleeping difficulties, feelings of powerlessness, increased rates of suicide, and difficulty forming positive relationships. In addition, their lives are frequently disrupted by moves to escape domestic violence. They lose considerable school time; flee home without books, money, or changes of clothing; and live in the family car when shelters are unavailable.

The negative side-effects of domestic violence are intergenerational. A child's exposure to a father abusing a mother is the strongest risk factor for transmitting violent behavior from one generation to the next,

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Require Rebates for Costs Marketing Drugs

By Joy Fisher, Legislative Analyst


The pharmaceutical industry justifies the high price of drugs by citing their research and development costs. Recent studies, however, show that marketing costs exceed research and development costs by more than two to one, on average.

While research and development costs represent anywhere from six to 19 percent of the cost of a drug, marketing costs can range from 15 to 42 percent of the cost of the drug. A portion of those marketing costs are for advertising directly to the consumer, but 84 percent of marketing costs go to physicians for such things as free samples, gifts, trips, and ads in medical journals.

Costs for Medi-Cal and state-financed drug programs like the AIDS Drug Assistance Program (ADAP) are escalating—in large part because of escalating drug prices—at a time when the state is limited by a multibillion dollar budget deficit, which dictates more than ever how much it can afford to spend.

AB 95, introduced by Paul Koretz (D—West Hollywood), would prohibit the State of California from paying for marketing-related costs by requiring drug manufacturers on the list for Medi-Cal or ADAP to refund the Department of Health the money they spend on marketing drugs in California.

Drug manufacturers that disclose the cost of marketing drugs would be allowed to retain 10 percent of the marketing costs; however, manufacturers that refused to disclose their marketing costs would be required to pay a rebate of at least 25 percent of the cost of the drug. If manufacturers refused to pay the rebate, their drugs could be removed from the Medi-Cal or ADAP list unless the Department of Health determined that removal would cause "substantial medical hardship" to beneficiaries.

Please write to the Assembly Appropriations Committee in support of this important bill. 

Legislative Update

Continued from page 1

AB 568 (Bonnie Garcia, R—Cathedral City)

Purpose: To require FDA-approved, rapid-HIV testing methods to be offered to women at annual obstetrics-gynecology appointments and at first prenatal appointments.

Status: Referred to the Assembly Health Committee for a vote on April 19.

LLP Position: Watch. Probably support.

AB 1074 (Judy Chu, D—Monterey Park)

Purpose: To authorize a foster parent or relative caregiver of a child adjudged to be a dependent child of the juvenile court, and the child's social worker, to consent to an HIV test on the child's behalf.

Status: Referred to the Assembly Human Services Committee for a vote on April 26.

LLP Position: Support.

AB 1142 (Mervyn Dymally, D—Compton)

Purpose: To establish a statewide African-American HIV/AIDS Initiative to address the disproportionate impact of HIV/AIDS on the health of African-Americans by coordinating prevention and service networks around the state and increasing the capacity of core service providers. The initiative would be implemented in five regional centers.

Status: Referred to the Assembly Health Committee for a vote on April 19.

LLP Position: Support.

AB 1677 (Paul Koretz, D—West Hollywood)

Purpose: To require state prisons to allow nonprofits or healthcare agencies to distribute condoms and dental dams to prisoners in state prisons.

Status: Referred to the Assembly Public Safety Committee for a vote on April 19.

LLP Position: Support.

SB 945 (Nell Soto, D—Pomona)

Purpose: To enact legislation requiring the state to collect HIV test results, for epidemiological purposes only, in a manner that satisfies the needs of the federal Centers for Disease Control and Prevention to ensure maximum accuracy of the data. This involves including the name of the person being tested in the record, as now required by the federal government.

Status: Referred to the Senate Health Committee for a vote on April 20.

LLP Position: Support.

LGBTI Issues

AB 12 (Chuck Devore, R—Irvine)

Purpose: To express the intent of the Legislature to provide that real property (such as a home) may be transferred to a beneficiary upon the death of the owner by recording, prior to the owner's death, a beneficiary deed signed by the owner of the

property interest designating a beneficiary.

Property transferred this way would not have to go through the long, expensive probate process.

Status: Referred to the Assembly Judiciary Committee for a vote on May 3. Intense negotiations are going on with the California Bar as to the best language for the bill.

LLP Position: Support.

AB 19 (Mark Leno, D—San Francisco)

Purpose: To allow same-sex couples to obtain marriage licenses in California and to establish that no clergy or religious organization can be required to solemnize any marriage to which they have a religious objection.

Status: Referred to the Assembly Judiciary Committee for a vote on April 26.

LLP Position: Support.

AB 195 (Mervyn Dymally, D—Compton)

Purpose: When the State Personnel Board finds that a public employee (or an applicant for public employment) has been discriminated against by his or her employer in ways that are forbidden by state law, it may order that the employee be hired, reinstated, or upgraded with or without back pay and compensatory damages. Discrimination on the basis of sexual orientation or gender identity are among the prohibited forms of discrimination. This bill would permit the State Personnel Board to award attorneys fees to the complainant.

Status: Approved by the Assembly Judiciary Committee. Referred to the Assembly Appropriations Committee suspense file.

LLP Position: Support.

AB 220 (Mark Leno, D—San Francisco, Chair, Committee on Public Domestic Violence)

Purpose: To amend several codes' sections that refer to "battered woman syndrome" and change those references to "intimate partner battering." This bill would therefore help members of LGBTI couples who are subject to this battering.

Status: Approved by the Assembly. Not referred to a Senate committee yet.

LLP Position: Support.

AB 378 (Judy Chu, D—Monterey Park)

Purpose: All persons in California have the right to be free from any violence, or intimidation by threat of violence, because of their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute, or because another person perceives them to have any of those characteristics. Existing law allows an attorney general, district attorney, city attorney, or aggrieved individual to bring a civil action against any person who interferes by threats, intimidation, or coercion, with the exercise or enjoyment of an individual's rights. This bill would increase the statute of limitation for the initiation of such an action from one year to three years.

Status: Approved by the Assembly Judiciary Committee. Awaiting a final vote on the Assembly floor, probably during the last week of April.
LLP Position: Support.

AB 606 (Lloyd Levine, D-Sherman Oaks)
Purpose: To declare the intent of the Legislature to discourage discrimination and harassment of lesbian, gay, bisexual, and transgender persons (LGBT) and other minority groups.
Status: Introduced.
LLP Position: Watch. Probably support.

AB 723 (Judy Chu, D-Monterey Park)
Purpose: To require school districts to provide classes in tolerance for all the groups covered by California's hate crimes laws.
Status: Referred to the Assembly Education Committee for a vote on April 27.
LLP Position: Support.

AB 866 (Leland Yee, D-San Francisco)
Purpose: Current law has a form statement that candidates for political office may sign on a voluntary basis. It is a pledge to engage in a fair and clean campaign. This bill would amend the pledge to include a statement that the candidate will not use, or permit to be used, any appeal to negative prejudice based on sexual orientation or gender identity.
Status: Approved by the Assembly Appropriations Committee. Awaiting a final vote on the Assembly floor.
LLP Position: Support.

AB 1160 (Sally Lieber, D-Santa Clara)
Purpose: To declare that homosexual or gender identity panic alone is not a valid justification for murder. Nor is panic based on the actual or perceived disability, nationality, race, ethnicity, or religion.
Status: Has been made a two-year bill. No action will be taken until 2006.
LLP Position: Support.

AB 1400 (John Laird, D-Santa Cruz)
Purpose: To amend the Unruh Civil Rights Act to prohibit discrimination on the basis of familial status, marital status, and sexual orientation.
Status: Approved by the Assembly. Not referred to a Senate committee yet.
LLP Position: Support.

AB 1586 (Paul Koretz, D-West Hollywood)
Purpose: To prohibit health insurance providers from refusing to insure transgender people.
Status: Referred to the Assembly Health Committee for a vote on May 3.
LLP Position: Support.

ACA 3 (Ray Haynes, R-Temecula)
Purpose: To amend the state constitution to ban same-sex marriage permanently in California and

to take away the benefits that domestic partners have obtained over the past few years. This bill would also prohibit the granting of marriage-like benefits to them in the future.

Status: Introduced. May be referred to the Assembly Judiciary Committee.
LLP Position: Oppose.

SB 181 (Carole Migden, D-San Francisco)
Purpose: To ban discrimination based on sexual orientation or gender against members of the state Military Reserve, state Naval Militia, or a person on state active duty.
Status: Referred to the Senate Committee on Veterans Affairs. No hearing date set yet.
LLP Position: Support.

SB 243 (Bob Dutton, R-Rancho Cucamonga)
Purpose: To authorize a credit against state income taxes in an amount equal to the amount paid for property taxes during the taxable year on the primary residence of a person or spouse of a person who, during that taxable year, was deployed in a combat or war zone.
Status: Referred to the Senate Committee on Revenue and Tax for a vote on April 27.
LLP Position: Support if domestic partner added alongside spouse.

SB 300 (Sheila Kuehl, D-Los Angeles)
Purpose: To increase the circumstances under which an employer must allow an employee to take up to 12 weeks of unpaid leave to care for a seriously ill family member. The need to care for a domestic partner would be added to the list, among others.
Status: Referred to the Senate Labor and Industrial Relations Committee for a vote on April 27.
LLP Position: Support.

SCA 1 (Bill Morrow, R-San Juan Capistrano)
Purpose: To amend the state constitution to ban same-sex marriage permanently in California and to take away the benefits that domestic partners have obtained over the past few years. This bill would also prohibit the granting of marriage-like benefits to them in the future.
Status: Referred to the Senate Judiciary Committee for a vote on May 3.
LLP Position: Oppose.

People of Color Issues

AB 13 (Jackie Goldberg, D-Los Angeles)
Purpose: To prohibit, with certain exceptions, public schools from using the name "Redskins" as a school or team mascot, name, or nickname.
Status: Approved by the Assembly Appropriations Committee. Awaiting a final vote on the Assembly floor.
LLP Position: Support.

AB 15 (Jerome Horton, D-Inglewood)

Purpose: To encourage schools to include a discussion of the contributions of Filipinos to the war effort during World War II.

Status: Approved by the Assembly Education Committee. Awaiting a final vote on the Assembly floor.

LLP Position: Support.

AB 22 (Sally Lieber, D-San Jose)

Purpose: To establish the crime of trafficking of a person for forced labor or services and the crime of trafficking of a minor for sexual servitude, both punishable as felonies. This bill would also require restitution to trafficking victims, and would require the development of a training program for peace officers on the subject of human trafficking. It would also require the Victim's Compensation and Government Claims Board to oversee local shelters for human trafficking victims. It would also require the Attorney General to make fighting human trafficking a high priority.

Status: Referred to the Assembly Public Safety Committee for a vote on April 26.

LLP Position: Support.

AB 41 (Leland Yee, D-San Francisco)

Purpose: To establish the crime of trafficking of a person for forced labor or services and the crime of trafficking of a minor for sexual servitude, both punishable as felonies. This bill would also require restitution to trafficking victims.

Status: Referred to the Assembly Public Safety Committee for a vote on April 26.

LLP Position: Support.

AB 74 (Mike Gordon, D-El Segundo)

Purpose: To establish the California Prescription Telephone Drug Hotline, which would provide information to consumers and healthcare providers about options for obtaining prescription drugs at affordable prices. People would call a low-cost (maximum 50 cents) toll phone number.

Status: Approved by the Assembly Health Committee. Referred to the Assembly Business and Professions Committee. No hearing date set yet.

LLP Position: Support if amended to make the hotline available through a toll-free number.

AB 75 (Dario Frommer, D-Los Angeles)

Purpose: To establish the California Rx Plus State Pharmacy Assistance Program, which would provide low-cost drugs to low-income Californians. This bill would authorize the state to negotiate drug rebate agreements with drug manufacturers to provide for program drug discounts. Would authorize any licensed pharmacy or drug manufacturer to provide services under the program.

Status: Approved by the Assembly Health

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Legislative Update

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Committee. Referred to the Assembly Business and Professions Committee for a vote on April 26.

LLP Position: Watch while we resolve concerns about the rebates.

AB 76 (Dario Frommer, D—Los Angeles)

Purpose: To establish the Office of Pharmaceutical Purchasing within the California Health and Human Services Agency with authority and duties to purchase prescription drugs for state agencies. This bill would authorize the office to negotiate the lowest prices possible for prescription drugs.

Status: Approved by the Assembly Health Committee. Referred to the Assembly Business and Professions Committee for a vote on April 26.

LLP Position: Watch over concerns whether this is the most efficient way to reduce costs and also ensure that all necessary medications are available to patients.

AB 77 (Dario Frommer, D—Los Angeles)

Purpose: To establish a pilot project requiring the Department of Corrections to contract with outside agencies to provide healthcare services, including medications, to prison inmates. The purpose of the pilot project would be to see if it would reduce the department's costs.

Status: Referred to the Assembly Public Safety Committee and then the Assembly Health Committee. Referred to the Assembly Public Safety Committee for a vote on April 26.

LLP Position: Support.

AB 117 (Rebecca Cohn, D—Campbell)

Purpose: Currently there are eight regional centers for approving treatment authorization requests (TARs) for people on Medi-Cal. The centers do not have standardized criteria for approvals of requests. This bill would create one central office for approving TARs.

Status: Referred to the Assembly Health Committee for a vote on April 26.

LLP Position: Watch. It would be bad if the bill resulted in a reduction in the number of staff reviewing TARs.

AB 122 (Todd Spitzer, R—Orange)

Purpose: To require all child daycare facilities not subject to existing liability insurance or bond requirements to maintain sufficient liability insurance or a bond to cover injury to clients and guests, or else to tell parents that they do not have insurance.

Status: Approved by the Assembly Human Services Committee. Referred to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Watch. This could run mom-and-pop daycare centers out of business.

AB 124 (Mervyn Dymally, D—Compton)

Purpose: To require each state agency to establish an equal opportunity program to ensure that the state policy of providing equal access to

state jobs, work assignment, training, and other employment-related opportunities for all qualified job applicants and employees—based on merit and nondiscrimination in every aspect of personnel policies and employment practices—is fully implemented. It would require the State Personnel Board to collect employment data based on race, ethnicity, and gender.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a Senate Committee yet.

LLP Position: Support.

AB 125 (Mervyn Dymally, D—Compton)

Purpose: To make the punishment the same for possession of either cocaine base or powder. Currently the punishment for possessing base is greater. Cocaine base is less expensive and is more common in communities of color than in white communities.

Status: Approved by the Assembly Public Safety Committee. Referred to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 237 (Juan Arambula, D—Fresno)

Purpose: Existing law requires the Department of Housing and Community Development to make grants or loans to local public entities, nonprofit corporations, and limited partnerships for the construction or rehabilitation of housing for agricultural employees and their families. Existing law also requires that grants and loans be matched by the grantee with at least equal amounts of federal moneys, other cash investments, or in-kind contribution. This bill would authorize the department to forgive a loan if it determines that forgiveness is necessary to the financing or continued viability of housing pursuant to this program. It would also authorize the department to waive the matching requirement for migrant housing funded by specified bond funds if the department finds that the waiver is necessary to ensure that the housing can be financed.

Status: Referred to the Assembly Housing and Community Development Committee. Hearing canceled by the author.

LLP Position: Support.

AB 306 (Joe Baca, D—San Bernardino)

Purpose: To establish a prescription drug purchasing pool that would bring down prescription drug costs of many low-income Californians by allowing them to join with state and local governments and school districts in purchasing prescription drugs.

Status: Introduced.

LLP Position: Support.

AB 332 (Russ Bogh, R—Beaumont)

Purpose: To provide that no law enforcement entity or any local governing body may adopt an ordinance, rule, regulation, or order, or otherwise implement a policy, that prohibits law enforcement

officers from initiating action to discover a person's alien status or that prohibits a law enforcement officer from arresting or booking a person for entering the country illegally.

Status: Defeated in the Assembly Public Safety Committee.

LLP Position: Oppose.

AB 368 (Noreen Evans, D—Santa Rosa)

Purpose: To require the state and counties to provide various welfare-to-work services and childcare services, maintain a safety net for children, encourage and assist family stability and unity, and assist and serve eligible legal aliens.

Status: Approved by the Assembly Human Services Committee. Sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 379 (Noreen Evans, D—Santa Rosa)

Purpose: To allow the following activities to be counted toward the 20-hours-per-week core activity requirement of the CalWORKs program: satisfactory progress in a secondary school or in a course of study leading to a certificate of general education development, vocational education and training, secondary school or general educational development, or other activities necessary to assist an individual in obtaining unsubsidized employment.

Status: Approved by the Assembly Human Services Committee. Sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 408 (Van Tran, R—Dana Point)

Purpose: To repeal provisions requiring the state to investigate discrimination in lending practices for purchases of housing accommodations.

Status: Referred to the Assembly Banking and Finance Committee for a vote on April 18. Hearing canceled by the author.

LLP Position: Oppose.

AB 432 (Jenny Oropeza, D—Long Beach)

Purpose: To increase the number of places and the time in which new citizens may register and vote. Also reduces the time before election day they must have become a citizen in order to register and vote.

Status: Approved by the Assembly Elections and Redistricting Committee. Referred to the Assembly Appropriations Committee for a vote on April 20.

LLP Position: Support.

AB 469 (Leland Yee, D—San Francisco)

Purpose: To require the state to seek a waiver allowing it to pay for otherwise Medi-Cal covered services when provided to beneficiaries residing in supportive housing run by local governments.

Status: Referred to the Assembly Health Committee for a hearing on April 26.

LLP Position: Support.

AB 477 (Joe Baca, D—San Bernardino)
Purpose: To allow certain providers of in-home supportive services to people on public assistance to purchase health insurance coverage for their employees and employees families (including domestic partners) through the Public Employees' Medical and Hospital Care Act, if the coverage is eligible for maximum federal financial participation. There would be limits on state financing of the coverage.

Status: Approved by the Assembly Human Services Committee. Referred to the Assembly PERS Committee for a vote on April 20.

LLP Position: Support.

AB 482 (Loni Hancock, D—Berkeley)
Purpose: To end the requirement that certain limited-English students take an achievement test in English and then again in their native language. This bill would allow these students to take the test only in their native language.

Status: Approved by the Assembly Education Committee. Referred to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Watch.

AB 503 (Sally Lieber, D—Santa Clara)
Purpose: To require the state to prepare a bill of rights that includes specified rights and to ensure that each county provides each CalWORKs recipient a copy of that bill of rights in his or her native language.

Status: Referred to the Assembly Human Services Committee for a vote on April 26.

LLP Position: Support.

AB 683 (Simon Salinas, D—Salinas)
Purpose: To state the intent of the Legislature to create a primary care insurance program for chronically and historically uninsured industries in the state.

Status: Introduced.

LLP Position: Watch. Probably support.

AB 775 (Leland Yee, D—San Francisco)
Purpose: To prohibit any state or local governmental agency, or any public or private agency that receives state funding, from using any child, or permitting any child to be used, as an interpreter, as defined, in any hospital, clinic, or physician office in the context of diagnosis and treatment, except as specified.

Status: Referred to the Assembly Business and Professions Committee for a vote on April 19.

LLP Position: Support.

AB 855 (Karen Bass, D—Los Angeles)
Purpose: To provide that, with certain exceptions, a person convicted of drug-related felonies shall be eligible to receive CalWORKs or food stamp benefits if he or she meets certain conditions of eligibility. Does not apply to drug dealers or those who persuade minors to be drug dealers.

Status: Approved by the Assembly Human Services Committee. Referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 934 (Mark Wyland, R—Del Mar)
Purpose: To prohibit a person from registering to vote unless he or she can provide proof of citizenship at the time of registration. A person already registered as of January 1, 2006, would not be required to submit proof of citizenship unless that person were to change registration from one county to another.

Status: Failed in the Assembly Elections Committee. Reconsideration granted.

LLP Position: Oppose.

AB 1215 (Mark Wyland, R—Del Mar)
Purpose: To require schools to provide parents requesting a waiver from English-immersion schooling for their child with information about certain test score data of English learner pupils enrolled in bilingual education classes, and to require the parent to sign a document stating that he or she understands the information. The bill would prohibit teachers and administrators from recommending that a pupil receive bilingual education instead of English-immersion instruction.

Status: Referred to the Assembly Education Committee. No hearing date set yet.

LLP Position: Oppose.

AB 1338 (Joe Nation, D—San Rafael)
Purpose: To require that a dependent child of the court who is not a citizen of the United States and for whom the court has determined parental reunification is no longer an option, be provided an attorney specializing in immigration law who may pursue special immigrant status or any other avenue to obtain legal permanent resident status or citizenship for that child.

Status: Passed by the Assembly Judiciary Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

AB 1465 (Dennis Mountjoy, R—Monrovia)
Purpose: To bar state prison staff, other than a physician, from interfering with the delivery of a treatment prescribed by a physician unless imminent risk of bodily harm to the physician, staff, or inmate requires alternate or modified procedures.

Status: Referred to the Assembly Business and Professions Committee. No hearing date set yet.

LLP Position: Support.

ACA 6 (Mark Wyland, R—Vista)
Purpose: To amend the state constitution to prohibit the state from issuing any driver's license or state identification card, providing in-state tuition or fees for postsecondary education, granting any voting privileges, or providing any health, social, or other state or local public benefit to any person

who is neither a citizen of the United States nor any alien lawfully present in the United States, unless the privilege, service, or the benefit is required by federal law.

Status: Referred to the Assembly Judiciary Committee. No hearing date set yet.

LLP Position: Oppose.

ACAX1 4 (Rick Keene, R—Chico)
Purpose: To amend the state constitution to require that reductions be imposed automatically on all General Fund appropriations enacted on or before the date of a proclamation by the governor that the state's income and expenses are significantly out of balance. The amounts of the cuts would be by a percentage estimated by the Director of Finance to cause total General Fund appropriations not to exceed General Fund revenues by the end of that fiscal year. The cuts would go into effect 45 days after the proclamation unless state legislators pass legislation to address the problem prior to that 45-day deadline.

Status: Referred to the Assembly Budget Process Committee. No hearing date set yet.

LLP Position: Oppose. Arbitrary, statewide cuts to all programs could be devastating to vital programs.

ACR 3 (Rebecca Cohn, D—Campbell)
Purpose: To proclaim May 2–8, 2005, as California Holocaust Memorial Week and urge Californians to observe these days of remembrance for the victims of the Holocaust in an appropriate manner.

Status: Introduced.

LLP Position: Support.

AJR 1 (Rudy Bermudez, D—Bellflower)
Purpose: To memorialize the president and Congress to urge the Citizens' Stamp Advisory Committee and the United States Postal Service to issue a commemorative stamp to honor Dr. Dalip S. Saund, an outstanding immigrant from India. This bill would encourage Californians to celebrate his birthday each year.

Status: Introduced.

LLP Position: Support.

AJR 2 (Noreen Evans, D—Santa Rosa)
Purpose: To memorialize the president and Congress to honor the contributions of Filipino-American war veterans and direct the federal government to immediately pay promised veterans' benefits as the first order of business of the 109th Congress.

Status: Approved by the Assembly Veterans Affairs Committee. Referred to the Assembly Appropriations Committee for a vote on April 20.

LLP Position: Support.

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Legislative Update

Continued from page 7

SB 19 (Deborah Ortiz, D—Sacramento)

Purpose: To establish the California Pharmacy Assistance Program (Cal Rx). This bill would require the program to negotiate drug rebates with drug manufacturers in order to provide low-cost drugs to people on limited incomes but who have too much income to qualify for Medi-Cal. The program may be run by the state or a third-party vendor. This bill would establish a program for pharmacists or drug manufacturers to sell discounted drugs to California Rx participants.

Status: Referred to the Senate Health Committee for a vote on April 20.

LLP Position: Support.

SB 23 (Carole Migden, D—San Francisco)

Purpose: To require the Employment Development Department to send informational brochures on the Healthy Families and Medi-Cal programs to employers for distribution to their employees. This bill would establish a system to allow employees to have the family contribution payments for healthcare coverage under the Healthy Families Program deducted from the employee's pay and transmitted to the state. This bill would require the state to do outreach and marketing on the Healthy families program and Medi-Cal to enroll more qualified participants.

Status: Referred to the Senate Health Committee for a vote on April 20.

LLP Position: Support.

SB 24 (Deborah Ortiz, D—Sacramento)

Purpose: To require each private hospital to develop a written reduced-cost, charity care policy and application form and to provide these to patients. This bill would also limit debt collection activities of the hospital during the first 150 days after discharge of the patient.

Status: Referred to the Senate Judiciary Committee for a vote on April 19.

LLP Position: Support.

SB 26 (Dennis Hollingsworth, R—Temecula)

Purpose: To reduce state income taxes, effective January 1, 2003. This bill would eliminate them entirely beginning January 1, 2007.

Status: Referred to the Senate Revenue and Tax Committee. No hearing date set yet.

LLP Position: Oppose. This bill would devastate the state's public health and social services programs.

SB 60 (Gilbert Cedillo, D—Los Angeles)

Purpose: To allow certain undocumented immigrants to obtain drivers licenses in California. Applicants would have to provide proof of identity and a full set of fingerprints. The fingerprints would be submitted to law enforcement agencies to determine if the applicant had a criminal record. The fingerprints would not be submitted to the National Immigration Services. People with criminal records would be denied a license. Commercial drivers

licenses would not be available to undocumented immigrants.

Status: Referred to the Senate Transportation Committee for a vote on March 15. Hearing delayed. No new date set yet.

LLP Position: Support.

SB 100 (Richard Alarcon, D—Van Nuys)

Purpose: California ranks 51st among the states and the District of Columbia in the level of reimbursement per Medi-Cal payment to healthcare providers. This bill would state the Legislature's intent to increase the payment rate for Medi-Cal.

Status: Introduced.

LLP Position: Support.

SB 112 (Deborah Ortiz, D—Sacramento)

Purpose: The state Department of Social Services distributes funds from the federal Refugee Act of 1980 to the counties in California. These funds pay for employment-related and English language training programs to immigrant refugees in those counties. Currently the money is divided up by percentages of refugees on public assistance in each county. If 10% of the refugees statewide, who are on public assistance, live in County A, County A gets 10% of the funds. This bill would make the division of funds based on the same formula used by the federal government in distributing funds to the states. That is, distribution to the counties would be based on the proportion of refugees that each county receives whether or not they are all on aid.

Status: Referred to the Senate Human Services Committee for a hearing on April 12.

LLP Position: Support.

SB 131 (Wes Chesbro, D—Santa Rosa)

Purpose: Existing law provides that federally qualified health center services and rural health clinic services are covered benefits under the Medi-Cal program. These provisions require that these care providers be reimbursed on a per-visit basis. However, they may elect to have pharmacy or dental services reimbursed on a fee-for-service basis. This bill would allow these care providers to be reimbursed on a fee-for-service basis for inpatient cardiology or inpatient obstetrical services. The bill requires the state to get federal approval of this change.

Status: Referred to the Senate Health Committee for a hearing on April 20.

LLP Position: Support.

SB 189 (Wesley Chesbro, D—Arcata)

Purpose: To require a healthcare service plan and health insurer to provide coverage for the medically necessary treatment of substance-related disorders, excluding caffeine-related disorders, on the same basis that coverage is provided for any other medical condition. The bill would authorize a plan and insurer to limit non-hospital residential care to 60 days per calendar year.

Status: Double-referred to the Senate Committee on Banking, Finance, and Insurance and to the Senate Health Insurance Committee. No hearing date set yet.

LLP Position: Support.

SB 388 (Charles Poochigian, R—Fresno)

Purpose: To establish a one-year, pilot program in three unnamed counties to disseminate information regarding current prison penalties for the personal use of a firearm during the commission of certain felonies. Each county would be eligible for up to \$1 million in federal grant funds for the program.

Status: Referred to the Senate Public Safety Committee for a hearing on April 19.

LLP Position: Probably support, pending naming of the counties.

SB 670 (Joe Dunn, D—Santa Ana)

Purpose: To express the apology of the State of California to those individuals who, from 1929 to 1944, were illegally deported, or coerced into emigrating, to Mexico as a result of the Mexican Repatriation Program, and to require that a plaque be placed and maintained in a public place to commemorate this event.

Status: Approved by the Senate Judiciary Committee. Referred to the Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

SB 840 (Sheila Kuehl, D—Los Angeles)

Purpose: To make all California residents eligible for specified healthcare benefits under the California Health Insurance System, which would, on a single-payer basis, negotiate for or set fees for healthcare services provided through the system and pay claims for those services.

Status: Approved by the Senate Banking and Finance Committee. Referred to the Senate Health Committee for a vote on April 27.

LLP Position: Support.

SB 862 (Don Perata, D—Oakland)

Purpose: To increase the minimum wage in California.

Status: Introduced.

LLP Position: Probably support pending actual dollar amount.

SB 1071 (Tom McClintock, R—Thousand Oaks)

Purpose: To end automatic cost of living adjustments (COLAs) for people in CalWORKS. COLAs would occur only if approved by two-thirds of each legislative house in the annual budget bill.

Status: Referred to the Senate Human Services Committee for a vote on April 26.

LLP Position: Oppose.

SCR 18 (Jim Battin, R—La Quinta)

Purpose: To proclaim November 2005 as California Indian Heritage Month, encourage its

observance with activities that celebrate our uniqueness as Americans, and commend California Indian nations for their outstanding contributions to this state.

Status: Introduced.

LLP Position: Support.

SCR 22 (Jim, Battin, R—La Quinta)

Purpose: To proclaim September 15 to October 15, 2005, inclusive, as California Hispanic Heritage Month, and encourage all Californians to observe this event in communities throughout the state.

Status: Introduced.

LLP Position: Support.

Women's Issues

AB 21 (Lloyd Levine, D—Van Nuys)

Purpose: The original intent of the bill was to prohibit a pharmacist from declining to dispense a contraceptive or emergency contraceptive. Now it specifically permits them to do so in certain circumstances.

Status: Approved by the Assembly Health Committee. Referred to the Assembly Business and Professions Committee. No hearing date set yet.

LLP Position: Oppose unless language allowing pharmacists to refuse to sell contraceptives is removed from the bill.

AB 59 (Rebecca Cohn, D—Campbell)

Purpose: To provide significant sentence enhancements for domestic violence committed when the accused knew that a child under the age of 18 was present.

Status: Referred to the Assembly Public Safety Committee for a hearing on April 19.

LLP Position: Support.

AB 70 (Bill Maze, R—Visalia)

Purpose: To require the Department of Motor Vehicles to provide a new set of license plates to a registered owner of a vehicle who provides certain evidence of having been the victim of rape or sexual battery.

Status: Approved by the Assembly Appropriations Committee. Awaiting a final vote on the Assembly floor.

LLP Position: Support.

AB 96 (Rebecca Cohn, D—Campbell)

Purpose: To add payment of any court-ordered child support as a condition of probation for domestic violence.

Status: Referred to the Assembly Public Safety Committee. Hearing canceled by the author.

LLP Position: Support.

AB 99 (Rebecca Cohn, D—Campbell)

Purpose: To provide that restraining orders issued in domestic violence cases may have a duration of

not more than five years (up from three years in current law) by the discretion of the court.

Status: Approved by the Assembly. Sent to the Senate. Not assigned to a committee yet.

LLP Position: Support.

AB 102 (Rebecca Cohn, D—Campbell)

Purpose: To require the presiding judges of the family, criminal, and juvenile courts of each county to create a jointly written protocol to allow these courts to jointly assess and produce a recommendation that a defendant or ward be designated as dual status, permitting the courts to access all background information on the defendant or ward held by any of these court systems. The purpose is to allow for a coordinated approach when more than one court is dealing with a situation such as a domestic violence case.

Status: Referred to the Assembly Judiciary Committee for a hearing on February 22. Hearing postponed. No new hearing date set yet.

LLP Position: Support.

AB 106 (Rebecca Cohn, D—Campbell)

Purpose: To require the courts of each county to establish a one-time amnesty program for fees, penalties, and assessments that were imposed in domestic battery cases, and that have been delinquent for not less than six months as of January 1, 2006. It would provide that the amount scheduled by the court be 70% of the total fees, penalties, and assessments and would set forth other parameters of the amnesty program.

Status: Approved by the Assembly Public Safety Committee. Referred to the Assembly Appropriations Committee suspense file.

LLP Position: Support.

AB 112 (Rebecca Cohn, D—Campbell)

Purpose: To require the court, prior to the modification of a protective order, to confirm the identity of the party petitioning for the modification. Sometimes a friend of a domestic abuser poses as the victim and asks the court to modify or end a protective order.

Status: Referred to the Assembly Judiciary Committee. Hearing postponed by committee.

LLP Position: Support.

AB 114 (Rebecca Cohn, D—Campbell)

Purpose: To provide that when a defendant is accused of child abuse in a criminal action, evidence of the defendant's prior acts of domestic violence may be admitted to prove the defendant's conduct.

Status: Approved by the Assembly Public Safety Committee for a vote on April 19.

LLP Position: Watch.

AB 169 (Jenny Oropeza, D—Carson)

Purpose: To increase the penalties for employers who pay women less than men for the same work and to mandate the types of damages employees

should recover if they are successful in bringing a civil action against their employer for willful violations of pay equity law.

Status: Approved by the Assembly Labor and Employment Committee. Referred to the Assembly Appropriations Committee for a vote on April 20.

LLP Position: Support.

AB 291 (Paul Koretz, D—West Hollywood)

Purpose: To require the state's maternal and child health program, operated by the state Department of Health Services, to require that pregnant women and new mothers be screened for postpartum mood and anxiety disorders, at designated intervals. This would require a physician or other healthcare practitioner to review and discuss the screening tool with the patient. The bill would require the physician or other healthcare practitioner to present the patient with an information sheet on postpartum mood and anxiety disorders.

Status: Referred to the Assembly Health Committee for a vote on April 5. Hearing canceled by the author.

LLP Position: Support if amended to make the screening voluntary.

AB 322 (Jenny Oropeza, D—Long Beach)

Purpose: To enact the Athletes Bill of Rights and enumerate the rights available to a pupil relating to gender equity in athletics. The bill would require the State Department of Education to post the bill of rights on its Web site and require a school district that elects to offer competitive or club sports to its pupils to print and post posters setting forth the bill of rights in several locations in schools.

Status: Approved by the Assembly Appropriations Committee. Awaiting a final vote on the Assembly floor.

LLP Position: Support if amended to make the screening voluntary.

AB 429 (Judy Chu, D—Monterey Park)

Purpose: To make several changes to law which increase the chances that a protective order, resulting from workplace violence or domestic violence, are promptly served on the accused.

Status: Approved by the Assembly Appropriations Committee. Awaiting a final vote on the Assembly floor. **LLP Position:** Support.

AB 506 (Cindy Montanez, D—San Frenando)

Purpose: To require each school district to establish a policy and protocol, including reporting procedures and response requirements, for dealing with teen dating violence, as defined, in middle schools and high schools. This would also require the State Department of Education to incorporate teen dating violence education curriculum into the health curriculum framework at its next revision.

Status: Referred to the Assembly Education Committee for a vote on April 20.

LLP Position: Support.

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Legislative Update

Continued from page 9

AB 634 (Sally Lieber, D-Santa Clara)

Purpose: To require an international marriage broker to provide information to a foreign recruit, as defined, in his or her language, consisting of an American client's criminal and marital history information.

Status: Referred to the Assembly Judiciary Committee for a vote on April 5. Hearing canceled by the author.

LLP Position: Support.

AB 1288 (Judy Chu, D-Monterey Park)

Purpose: To require a court, as part of a protective order in domestic violence cases, to compel the abuser to surrender any guns. This would allow the local police or sheriff to tell a domestic abuse victim, in such cases, that the abuser has purchased a gun.

Status: Referred to the Assembly Public Safety Committee for a hearing on April 19.

LLP Position: Watch.

ACR 2 (Rebecca Cohn, D-Campbell)

Purpose: To proclaim the month of October 2005 as Domestic Violence Awareness Month.

Status: Introduced.

LLP Position: Support.

AJR 3 (Rebecca Cohn, D-Campbell)

Purpose: To petition the president and Congress to protect and uphold the intent and substance of the Supreme Court decision in *Roe v. Wade*, relating to reproductive rights, and to encourage all Americans to participate in the national celebration, "The March for Women's Lives," in recognition of that decision's historic importance in promoting women's rights.

Status: Approved by the Assembly. Not referred to a Senate committee yet.

LLP Position: Support.

SB 585 (Christine Kehoe, D-San Diego)

Purpose: To tighten the laws requiring someone to surrender any guns when he or she is the subject of a protective order in a domestic abuse case.


Status: Referred to the Senate Public Safety Committee for a hearing on April 19.

LLP Position: Support.

SB 1030 (Dennis Hollingsworth, R-Murrieta)

Purpose: To say that California law does not require a business establishment to provide nonessential services to a member of the public, if to do so would violate one's conscience due to a sincerely held religious belief. Author's office says this bill would allow a druggist to refuse to dispense prescription birth control medication.

Status: Referred to the Senate Judiciary Committee. No hearing date set yet.

LLP Position: Oppose. 


LGBTI Issue

Continued from page 3

Third, AB 19 would allow the state to collect additional revenue in fees for marriage licenses. According to the Williams Project at the UCLA School of Law, legalizing same-sex marriage would result in a net gain to the economy of \$22.3 to \$25.2 million each year. State and local governments in California still have huge deficits. These revenues would be helpful in balancing the budget. They would reduce the need to cut funding for education, housing, and medical programs.

AB 19 reiterates religious institutions' right to determine how and when to perform marriage ceremonies without government interference. Churches which object will not be required to perform same-sex marriages.

On the other hand, current California law does interfere with religious freedom in this area. Unitarian, Quaker, and many Congregational churches are willing now to perform same-sex marriages, but are prohibited from doing so by current California Law. AB 19 validates the Constitution's tenets of separation of church and state.

It is important to write the Assembly Appropriations Committee this month to ask them to support this civil rights initiative. Please let them know that equality is essential to California's doctrines of equality, privacy, and freedom from discrimination. 

Women's Issue

Continued from page 3

according to the American Psychological Association. In families where a mother is assaulted by a father, daughters are at risk of sexual abuse 6.5 times greater than girls in nonabusive families. Children raised in abusive homes learn that violence can be used to resolve conflicts and problems. Boys who witness their mother being abused are more likely to batter their female partners as adults.

Parents often minimize the effects on children, especially if the children are asleep or do not directly witness the violence. However, a study by the National Center on Women and Family Law found that children notice everything. They may hear their mother's screams, the abuser's threats, sounds of a fist hitting flesh, glass breaking, cursing, etc. Children also notice the mother's bruises, holes in walls, broken furniture, etc.

Assemblymember Rebecca Cohn (D-San Jose) has now written AB 59, which addresses this aspect of domestic violence. It would provide sentencing enhancements for domestic violence perpetrators when children under the age of 18 are present. AB 59 stipulates that a person convicted of felony domestic violence will receive a sentence enhancement of one year when that person knew that a child was present. AB 59 also provides that a person convicted of misdemeanor domestic violence in the presence of a child will receive a mandatory jail term of at least 90 days.

This tougher law will probably not stop domestic violence altogether, but the perpetrator will face tougher consequences if a child is present. Clearly the person's actions cause immense harm beyond just the physical and mental abuse of the primary victim.

Please write to your Assemblymember and request that he or she support this important bill. Domestic violence and child abuse go hand in hand. It is time to put a stop to both. 